

Environmental Impacts	Mitigation Measures	Responsibility for Compliance	Method of Compliance	Timing of Compliance																																	
Biological Resources																																					
Impact BIO-1: The project would result in a significant impact to riparian habitat due to the removal of trees.	BIO-1.1: All of the trees to be removed will be replaced at the following <table><tr><th colspan="5">Table 6 Tree Replacement Ratios</th></tr><tr><th rowspan="2">Diameter of Tree to be Removed</th><th colspan="3">Type of Tree to be Removed</th><th rowspan="2">Minimum Size of Each Replacement Tree</th></tr><tr><th>Native</th><th>Non-Native</th><th>Non-Native Invasive</th></tr><tr><td>Greater than 24 inches</td><td>5:1</td><td>2:1</td><td>0.5:1</td><td>24-inch box</td></tr><tr><td>17 to 24 inches</td><td>3:1</td><td>2:1</td><td>0.5:1</td><td>24-inch box</td></tr><tr><td>11 to 17 inches</td><td>2:1</td><td>1:1</td><td>0.5:1</td><td>15-gallon container</td></tr><tr><td>Less than 11 inches</td><td>1:1</td><td>0.5:1</td><td>0:1</td><td>15-gallon container</td></tr></table> <p>Notes: X:X = tree replacement to tree loss ratio</p> <p>Based on the size and species of the trees to be removed, 194 replacement trees would be required to mitigate project impacts to riparian trees. The required tree plantings could be accomplished on approximately 1.3 acres in one or more mitigation areas.¹ An additional 0.16 acres of riparian habitat will be provided to mitigate for the removal of the existing 0.05-acre mitigation site. Therefore, the project will restore at least 1.46 acres of re-dominated riparian habitat along the project alignment. Trees planted in the riparian corridor of Coyote Creek must be native species.</p>	Table 6 Tree Replacement Ratios					Diameter of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree	Native	Non-Native	Non-Native Invasive	Greater than 24 inches	5:1	2:1	0.5:1	24-inch box	17 to 24 inches	3:1	2:1	0.5:1	24-inch box	11 to 17 inches	2:1	1:1	0.5:1	15-gallon container	Less than 11 inches	1:1	0.5:1	0:1	15-gallon container	Public Works Department Project contractors	The Public Works Department shall retain a restoration ecologist to prepare the RMMP. The RMMP will be submitted to the satisfaction of the City’s Environmental Principal Planner.	The RMMP shall be completed during the regulatory permitting phase.
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¹ This surface area includes mitigation for impacts resulting from the replacement of the Penitencia Creek culvert/crossing with a free-span pedestrian bridge. If the final project design does not include this option, then the riparian mitigation requirement can be reduced by 1,100 square feet.

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	<p>appropriate for the Coyote Creek riparian habitat.</p> <p>MM BIO-1.2: A Riparian Mitigation and Monitoring Plan (RMMP) shall be completed for the project by a restoration ecologist during the regulatory permitting phase. The plan shall be submitted to the Director of Planning, Building, and Code Enforcement. The plan will identify the preferred mitigation site and shall include:</p> <ul style="list-style-type: none"> - Mitigation design (including existing and proposed site hydrology, soil preparation methods, planting plan, and irrigation and maintenance plan). - Monitoring plan covering a 10-year period (including performance criteria, monitoring methods, data analysis, reporting requirements, monitoring schedule, and remedial measures/adaptive management). - Contingency plan for mitigation elements that do not meet performance or final success criteria. 			
<p>Impact BIO-2: Construction of the project could result in significant construction-related impacts to salmonids.</p>	<p>MM BIO-2.1: The following measure will be implemented during construction activities that involve the use of pile drivers to reduce adverse effects on salmonids:</p> <ul style="list-style-type: none"> • Conservation measures described in the technical guidance for reducing impacts to salmonids from pile driving detailed by Caltrans (2009) shall be followed where practicable. Such measures will include, but are not limited to: <ul style="list-style-type: none"> - Limit pile-driving work to the period June 15th to October 15th as described above, or even a narrower window within this period if so advised by NMFS or CDFG fisheries biologists. - Avoid in-water installation of piles (which is not proposed by the project). - Use low-impact pile-driving equipment such as vibratory hammers that minimize underwater sound pressure levels or press-in pile installation to the greatest extent practicable. - Avoid using steel piles to the greatest extent practicable. - Limit construction-related underwater sound exposure levels to less than 187 dB and sound pressure levels to less than 208 dB. - If feasible, generate lower intensity underwater sounds to repel fish from the immediate construction area prior to use of a high-pressure hammer. 	<p>Public Works Department</p> <p>Project contractors</p>	<p>All measures shall be printed on all construction documents, contracts, and project plans.</p>	<p>Prior to and during all phases of construction on the project site.</p>
	<p>MM BIO-2.2: The following measures will be implemented during any culvert removal or restoration activities within Penitencia Creek to reduce adverse effects on salmonids:</p>	<p>Public Works Department</p> <p>Project</p>	<p>The Public Works Department shall retain a qualified biologist to give a construction personnel</p>	<p>Prior to and during all phases of construction on</p>

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	<ul style="list-style-type: none"> • If culvert removal or other activities in a flowing stream are unavoidable, the work area will be dewatered (e.g., using coffer dams), and any stream flow shall be diverted around the work area by a barrier, temporary culvert, or a new channel capable of permitting upstream and downstream fish movement. • Construction of the barrier or the new channel shall normally begin in the downstream area and continue in an upstream direction. • If a segment of Penitencia Creek must be dewatered or diverted, such work will occur during the dry season (roughly June 15th to October 15th, with the potential for extensions beyond this period, in consultation with NMFS, if dry weather permits). Additionally, a qualified biologist will be present during the construction of the coffer dams and dewatering of the area within the coffer dams to ensure that no salmonids, western pond turtles, or other native wildlife are directly impacted during installation of the coffer dams, and to thoroughly inspect and seine (i.e. utilize a net to capture aquatic species) the area within the coffer dams before the work area is pumped out. Any native fish, reptiles, or amphibians within the work area will be removed to the area immediately downstream. No steelhead will be moved without authorization of NMFS. • A construction personnel education program will be given by a qualified biologist before the commencement of construction to explain to construction personnel how best to avoid the accidental take of steelhead and salmon. The approved biologist will conduct a training session that will be scheduled as a mandatory informational field meeting for contractors and all construction personnel. The field meeting will include topics on species identification, required practices before the start of construction and a discussion of general measures that are being implemented to conserve the species as they relate to the project, penalties for noncompliance, and boundaries of the construction area. 	contractors	<p>education program, monitor dewatering activities, and consult with NMFS as needed.</p> <p>All measures shall be printed on all construction documents, contracts, and project plans.</p>	the project site.
<p>Impact BIO-3: The project could result in a significant impact to bat populations, if roosts and/or colonies are identified within the BSA.</p>	<p>If it is determined that the project would result in the direct loss of a bat roost and this loss would result in a decline in regional populations of a given species due to the absence of alternative roost sites in nearby areas that could be used by that species, the proposed project will implement the following mitigation measures to reduce impacts to bats to a less than significant level:</p> <p>MM BIO-3.1: The results of the visual and acoustic surveys described in the Standard Measures List will be analyzed to determine the presence, number, and identity of bats roosting in areas that will be disturbed by the proposed project. If 20 or more individuals of the Yuma bat, or 100 or more individuals of Mexican free-tailed bat or another bat species, will be displaced by the project as a result of removal of a roost tree, then a qualified bat biologist will determine whether alternative roost sites are present in the project vicinity,</p>	Public Works Department	<p>The Public Works Department shall retain a qualified bat biologist to complete this measure.</p> <p>A report outlining the results of pre-construction surveys and any recommended measures will be submitted to the satisfaction of the City's Environmental Principal Planner.</p>	Prior to initiation of construction on the project site.

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	<p>taking into account the number of individuals of each bat species that will be impacted, and the type of roost (e.g., day or night, maternity or bachelor) impacted. If in the opinion of the bat biologist, insufficient alternative roost sites are present, then roosting habitat will be provided in the form of a structure (e.g., either a structure attached to a bridge in the project vicinity or bat houses placed near such bridge) designed by a qualified bat biologist to provide suitable roosting habitat for the displaced species.</p> <p>MM BIO-3.2: The project does not propose permanent alterations of any existing bridges in the project area aside from the installation of safety lighting under the bridges. As a result, if any bats require eviction from bridges to avoid disturbance of a maternity roost during construction, the devices used to evict the bats will be removed following completion of construction and the bats would again be able to use the bridge as a roost site.</p> <p>MM BIO-3.3: Following project construction, any bridge maternity roost supporting more than 20 Yuma bats or more than 100 individuals of another bat species will be monitored for occupancy for a period of two (2) years. If the roost is occupied by the species present prior to construction, no additional mitigation will be required. If the species present prior to construction does not reoccupy the roost within two (2) years, then alternative roosting habitat will be provided as described above. Alternatively, the alternative roosting habitat can be provided in lieu of monitoring.</p>			
Cultural Resources				
<p>Impact CUL-1: Grading and excavation during construction of the proposed project on the San José Flea Market property could result in the exposure or destruction of subsurface prehistoric archaeological resources.</p>	<p>MM CUL-1.1: Mechanical subsurface presence/absence testing will be completed for the project alignment on the Flea Market property. Testing will consist of backhoe testing for suspected prehistoric deposits, combined with selected stripping of soils to search for the smaller, more discrete historic deposits which may exist near the former farm residences known to have existed on the site. Where possible, stripping would be confined to the immediate environment of the former building sites.</p> <p>MM CUL-1.2: In the event that any actual prehistoric and/or historic archaeological deposits are discovered during presence/absence testing, a program for evaluation of the deposits through hand excavation of the suspected resource shall be submitted to the Director of Planning, Building, and Code Enforcement for approval. If evaluation demonstrates that the resource is eligible for inclusion on the California Register of Historic Resources, a plan for mitigation of impacts shall be submitted to the Director</p>	<p>Public Works Department</p> <p>Project applicant and contractors</p>	<p>All measures shall be printed on all construction documents, contracts, and project plans.</p> <p>A final report shall be submitted to the City's Environmental Principal Planner upon completion of the mechanical subsurface testing.</p> <p>If needed, the evaluation and mitigation programs shall be submitted to the</p>	<p>Prior to and during construction on the Flea Market property.</p>

² If realignment of the trail is considered to avoid impacts to cultural resources and additional or new environmental impacts could result from the project change, subsequent environmental review of the project may be required.

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	<p>of Planning, Building, and Code Enforcement for approval.</p> <p>MM CUL-1.3: If feasible, mitigation will take the form of avoidance of impacts to the resource through project redesign, such as realigning the trail within the 100-foot open space easement.² In those cases where avoidance is not possible, mitigation can take the form of additional hand excavation to retrieve a representative sample of the archaeological resource for analysis.</p> <p>MM CUL-1.4: Any human remains encountered shall be handled in accordance with State law and any applicable Native American agreements. All human remains and burial-associated artifacts shall be repatriated in a location that will not be subject to further disturbance. Using professionally-accepted methods, all archaeological resources shall be catalogued and analyzed, and a report summarizing such work shall be prepared and provided to the City's Director of Planning, Building, & Code Enforcement.</p>		satisfaction of the City's Environmental Principal Planner.	
Hazards and Hazardous Materials				
<p>Impact HAZ-1: The proposed project could create a significant hazard to construction workers and/or to the public as a result of trail construction on potentially contaminated soil.</p>	<p>MM HAZ-1.1: Further evaluation of soil quality along the proposed trail alignment on the Fox property and at the proposed undercrossings beneath US 101, I-880, Berryessa Road, Oakland Road, and the UPRR trestle will be completed prior to construction.</p> <ul style="list-style-type: none"> - If further evaluation indicates the presence of impacted soil, a remediation program for on-site soil removal shall be prepared to the satisfaction of the Director of Planning, Building and Code Enforcement, the Environmental Services Department (ESD), and RWQCB. - If it is determined that excess soil will be generated at other locations along the proposed trail alignment, it is recommended that soil sampling and laboratory analyses be performed to: 1) evaluate residual pesticide concentrations, if any; and 2) determine appropriate off-site disposal facilities licensed to accept the material. If further evaluation indicates the presence of impacted soil, a remediation program for on-site soil removal shall be prepared to the satisfaction of the appropriate regulatory agency (such as the DTSC, RWQCB, or Santa Clara County Environmental Health Department) and local agencies, including the Director of Planning, Building, and Code Enforcement and ESD. <p>MM HAZ-1.2: The City shall develop a site management plan (SMP) to establish management practices for handling materials/structures encountered during construction (i.e., wells, burn areas, debris, etc.) to avoid hazardous materials impacts to the public, environment, and construction workers.</p>	<p>Project applicant and contractors</p> <p>Public Works Department</p>	<p>All measures shall be printed on all construction documents, contracts, and project plans.</p> <p>The SMP shall be submitted to all applicable regulatory agencies with a copy to the City's Environmental Principal Planner for review and approval.</p>	<p>Prior to and during the construction phases.</p>

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	<p>MM HAZ-1.3: If imported soil is used during project construction, the source and quality of the imported soil should be evaluated and documented. (Refer to the DTSC's October 2001 Clean Fill Advisory for guidance on evaluating imported fill.)</p> <p>MM HAZ-1.4: Prior to performing earthwork near these pipelines, the pipeline owners will be contacted to evaluate pipeline depths and establish appropriate safety measures.</p>			
Transportation				
<p>Impact TRAN-1: The interim on-street trail alignment would expose trail users to hazards associated with the at-grade UPRR crossing on Brokaw Road.</p>	<p>MM TRAN-1.1: An engineering study will be completed to determine which, if any, additional safety devices should be provided at the UPRR crossing. The recommendations could include those found in the <i>Compilation of Pedestrian Safety Devices in Use at Grade Crossings</i> prepared by the FRA and/or the <i>Railroad-Highway Grade Crossing Handbook</i> prepared by the FHWA.</p>	Public Works Department	The Public Works Department shall retain a qualified transportation engineer to complete this measure.	During the final design phase.